

AUG 15 2005

FACSIMILE COVER SHEET	
<b>DATE:</b> 15 August 2005	<b>FROM:</b> Anna Gil, Ph.D. Senior Patent Attorney
<b>TO:</b> Examiner Christine J. SAOUD	<b>BERLEX PHARMACEUTICALS</b> 2600 Hilltop Drive P.O. Box 4099 Richmond, CA 94804-0099 USA
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<b>In re to the Appln. of:</b> BRINGMANN et al.	<b>FAX NO.:</b> (510) 262-7095
<b>Serial No.:</b> 10/005,646	<b>EMAIL ADDRESS:</b> anna_gil@berlex.com
<b>Filed:</b> 7 December 2001	
<b>Title:</b> Novel Fibroblast Growth Factors	
<b>RE: Response to Office Action of 14 February 2005, Corrected for Editorial Errors</b>	
<b>DOCKET. NO.:</b> 51836AUSM1	
<b>TOTAL NO. OF PAGES (Including cover sheet):</b> 5	

Dear Ms. Saoud:

Yesterday, 14 August 2005, we faxed to the USPTO a Response to the Office Action of 14 February 2005. However, there were a couple editorial errors in that response that have been corrected, and the corrected version is attached here. Thus, please replace the Response of 14 August 2005 with the corrected version attached here.

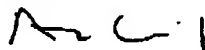
Specifically, the following corrections to the response were made:

Page 1, Amendments, first para., first sentence was amended to say "Please amend Claim 40" (instead of "Please amend Claims 40 and 41");

Page 4, Appendix, Claim 40 was amended to say "95%" (instead of "94%");

Page 4, Appendix, Claim 41 was amended to say "Once Amended" (instead of "Twice Amended") and to say "95%" (instead of "94%").

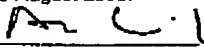
Sincerely,



Anna Gil

## CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the USPTO to the: Commissioner of Patents on the 15 August 2005:

  
Anna Gil, 15 August 2005

AUG 15 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<b>In re to the Application of:</b>  Peter W. BRINGMANN et al.  <b>Serlal No.:</b> 10/005,646  <b>Filed:</b> 7 December 2001  <b>Title:</b> NOVEL FIBROBLAST GROWTH FACTORS  <b>Docket No.:</b> 51835AUSM1	<b>Examiner:</b> Christine J. Saoud  <b>Group Art Unit:</b> 1647
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO OFFICE ACTION**

Dear Sir:

This communication is responsive to the Office Action mailed 14 February 2005, in the above-referenced application. Applicants respectfully request consideration of the following remarks and amendments responsive to this Office Action.

A request for a three-month extension for responding to this Office Action is enclosed herewith, making the due date for responding to the Office Action, 15 August 2005 (since 14 August 2005 is a Sunday). Thus, this response is timely filed.

The Commissioner is hereby authorized to charge any fees associated with this response, or credit any overpayment, to Deposit Account No. 02-2117.

**AMENDMENTS****In the Claims:**

Please amend Claim 40 as follows. A clean copy of the pending claims as amended are attached herewith in the Appendix.

40. (Twice Amended) The method of Claim 36, wherein said polypeptide has 9[4]5% sequence identity to amino acid 1 to amino acid 208 of human FGF-9 as set forth in Fig. 3 (SEQ ID NO: 5), and wherein said polypeptide has FGF activity.